



**MICHIGAN**  
**HOUSE OF REPRESENTATIVES**  
P.O. Box 30014  
LANSING, MICHIGAN 48909-7514

**MINUTES OF THE COMMITTEE**  
**ON**  
**CRIMINAL JUSTICE**

Tuesday, September 13, 2016                      9:00 a.m.                      Room 327 House Office Building

The House Standing Committee on Criminal Justice was called to order by the Chair.

Members present: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, and Chang.

Members absent/excused: None.

Representative Lucido moved to adopt the May 24th, 2016, minutes. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 5838 and HB 5839 before the committee:

HB 5838 (Barrett)	Crimes; business crimes; knowingly selling or offering to sell travel services for the purpose of prostitution offense or human trafficking offense; prohibit, and provide penalties.
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HB 5839 (Sheppard)	Criminal procedure; sentencing guidelines; sentencing guidelines for crime of selling or offering to sell travel services for purpose of engaging in what would be prostitution or human trafficking if it occurred in this state; enact.
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Representative Barrett and Representative Sheppard testified in support of their bills. Questions and discussion followed.

The following people submitted a card in support of the bills, but did not wish to speak:

Matt Williams, representing the Michigan State Police.

Jean Doss, representing the Michigan State Council of Junior League.

Representative Webber moved to report HB 5838 with recommendation. The motion prevailed 6-0-1.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Lucido, Howell, Guerra, Chang.

Nays: None.

Pass: Rep. Howrylak.

Representative Webber moved to report HB 5839 with recommendation. The motion prevailed 6-0-1.

#### FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Lucido, Howell, Guerra, Chang.

Nays: None.

Pass: Rep. Howrylak.

The Chair laid HB 5842, HB 5843, HB 5844, HB 5845, and HB 5846 before the committee:

HB 5842 (Heise)	Courts; appointed counsel; Michigan indigent criminal defense commission; reestablish within the department of licensing and regulatory affairs.
HB 5843 (Howrylak)	Courts; appointed counsel; Michigan indigent defense commission; reestablish in the department of licensing and regulatory affairs.
HB 5844 (Kesto)	Courts; appointed counsel; Michigan indigent defense commission; reestablish in the department of licensing and regulatory affairs.
HB 5845 (Guerra)	Courts; appointed counsel; Michigan indigent defense commission; reestablish in the department of licensing and regulatory affairs.
HB 5846 (LaGrand)	Courts; appointed counsel; reference to autonomy; eliminate and establish a salary and expenses structure.

Chairman Heise testified in support of his bill and the entire package.

Judge Tom Boyd, President of the Michigan District Judges Association, and Judge James Fisher, representing the Michigan Indigent Defense Commission, testified in support of the bills. Questions and discussion followed.

Jonathan Sacks, representing the Michigan Indigent Defense Commission, testified in support of the bills.

Judge John Shea, representing the Michigan Indigent Defense Commission, was available for additional questions.

Shelli Weisberg, representing the American Civil Liberties Union of Michigan, testified in support of the bills.

Bruce Timmons, representing himself, testified in opposition to the bills.

Jean Doss and Noah Smith, representing the Criminal Defense Association of Michigan, submitted a card in support of the bills, but did not wish to speak.

Representative Webber moved to report HB 5842 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Howrylak moved to report HB 5843 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Lucido moved to report HB 5844 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Guerra moved to report HB 5845 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Guerra moved to report HB 5846 with recommendation. The motion prevailed 8-0-0.

FAVORABLE ROLL CALL

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

The Chair laid HB 5742 and HB 5743 before the committee.

HB 5742 (S. Roberts)	Crimes; intoxication or impairment; blood alcohol level requirement for certain alcohol-related driving violations; eliminate sunset for .08 limit.
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HB 5743 (Pscholka)	Criminal procedure; sentencing guidelines; blood alcohol level requirement for certain alcohol-related offenses; eliminate sunset for .08 limit.
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Representative Roberts testified in support of the bills.

Tom Constand, representing the Brain Injury Association of Michigan, testified in support of the bills. Questions and discussion followed.

The following people submitted a card in support of the bills, but did not wish to speak:

Ben Bodkin, representing the Michigan Sheriffs Association.

Dillon McGough, representing the Michigan Health and Hospital Association.

Sean Gohte, representing Ascension Michigan.

KC Steckelberg, representing the Prosecuting Attorneys Association of Michigan.

Kevin McKinney, representing the Michigan Brain Injury/Providers Council.

Harvey Hoffman, representing the Michigan Association of Treatment Court Professionals.

Dawn Kettinger, representing the Michigan Nurses Association.

Matt Williams, representing the Michigan State Police, submitted a card in support of the bills, and was available for additional questions.

Representative Guerra moved to report HB 5742 with recommendation. The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Howell moved to report HB 5743 with recommendation. The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

The Chair laid SB 332 and SB 333 before the committee:

SB 332	(Jones)	Liquor; drinking age; penalties for minor in possession (MIP); modify.
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SB 333	(Jones)	Traffic control; driver license; suspension of driver license after third minor in possession offense; provide for.
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Jessica Averill-Hammond, representing Senator Jones office, testified in support of the bills.

Dave Richmond, representing the Michigan Secretary of State, testified with no position on the bills. Questions and discussion followed.

Matt Williams, representing the Michigan State Police, submitted a card with no position on the bills.

Judge Tom Boyd, representing the Michigan District Judges Association, submitted a card in support of the bills.

Shelli Weisberg, representing the American Civil Liberties Union of Michigan, submitted a card in support of SB 332, but did not wish to speak.

Representative Lucido moved to adopt substitute (H-2) to SB 333. The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Howell moved to adopt substitute (H-1) to SB 332. The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Howell moved to report SB 332 with recommendation, as substitute (H-1). The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Representative Lucido moved to report SB 333 with recommendation, as substitute (H-2). The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

The Chair laid HB 5602 before the committee:

HB 5602 (Lucido)	Traffic control; driver license; operating a motor vehicle without valid driver license; increase penalties and require police officers to take certain actions.
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Representative Lucido testified in support of his bill.

Representative Lucido moved to adopt substitute (H-1) to HB 5602. The motion prevailed 8-0-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell, Guerra, Hovey-Wright, Chang.

Nays: None.

Pass: None.

Questions and discussion was held between the committee.

Diego Bonesatti, representing Michigan United, testified in opposition to the bill. Questions and discussion followed.

Benjamin O'Heara, representing Migrant Legal Aid, testified in opposition to the bill.

The following people submitted a card in opposition to the bill, but did not wish to speak:

Susan Reed, representing the Michigan Immigrant Rights Center.

Kimberly Buddin, representing the American Civil Liberties Union of Michigan.

Marari Mireles, representing the Detroit Hispanic Development and One Michigan, testified in opposition to the bill.

Matt Williams, representing the Michigan State Police, submitted a card with no position on the bill.

Questions and discussion was held between the committee members.

Representative Lucido moved to report HB 5602 with recommendation, as substitute (H-1). The motion prevailed 5-3-0.

**FAVORABLE ROLL CALL**

Yeas: Reps. Heise, Webber, Howrylak, Lucido, Howell.

Nays: Rep. Guerra, Hovey-Wright, Chang.

Pass: None.

There being no further business before the committee, the Chair adjourned the meeting at 10:09 a.m.

**Representative Kurt Heise, Chair**\_\_\_\_\_

Angie Lake, Committee Clerk

House Criminal Justice Committee